



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors

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August 19, 2002

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

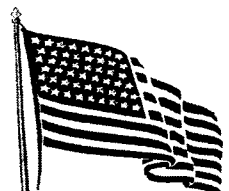
From: David E. Janssen
Chief Administrative Officer

SHERIFF'S DEPARTMENT FUNDING TO ADDRESS THE DNA HOMICIDE CASE BACKLOG

On April 16, 2002, on motion by Supervisor Antonovich, the Board instructed the Chief Administrative Officer to work with the Sheriff's Department to identify \$2.5 million in funding to address the DNA homicide case backlog and report back on crime lab staffing as follows:

- Identify funding for Fiscal Year 2002-03 to hire five additional criminalists to perform "front end" work on backlogged DNA homicide cases, and contract with a private vendor to perform DNA analysis, including Local Law Enforcement Block Grant funding, Sheriff's Narcotics Forfeiture funding, and other State and Federal grant funding sources;
- Identify \$1.6 million in continued funding in Fiscal Years 2003-04 and 2004-05;
- Provide monthly updates of the goals accomplished and the number of backlogged cases analyzed;
- Determine the appropriate staffing levels of Criminalists for the new crime lab;

Dna backlog



United We Stand

- Determine the amount of time required to train the Criminalists prior to opening the new crime lab;
- Determine the cost of fully staffing the crime lab to the level where DNA backlogs will not accumulate to a significant level; and
- Perform an analysis of the cost effectiveness of hiring Criminalists who are already fully trained.

The Sheriff's Department has advised that grant funding may be available to fund certain crime lab operations, except for new staffing, beginning in 2002-03. Also, County Counsel has determined that the Narcotics Forfeiture Special Fund can be used to fund additional staffing. However, the Sheriff's Department has indicated that Narcotics Forfeiture funding has already been allocated for other programs for the 2002-03 fiscal year. Currently, the Sheriff's Department is working with County Counsel to explore the feasibility of using the Automated Fingerprint Identification System (AFIS) Special Fund for crime lab operations and will be reporting their findings to the Board within 30 days. In the interim, the Sheriff's Department has not demonstrated the ability to absorb the additional costs within their Fiscal Year 2002-03 Adopted Budget.

Existing Crime Lab Staffing

The Board requested a review of Local Law Enforcement Block Grant revenue, the Narcotics Forfeiture Special Fund, and State and Federal Grants as potential funding sources to hire additional staffing to eliminate the backlog of DNA homicide cases. Local Law Enforcement Block Grant (LLEBG) revenue is not a viable funding source for hiring additional Criminalists because the revenue has been significantly reduced over the years, and each grant allocation has been less than the prior year. Under a joint spending plan for County and the City of Los Angeles, the majority of LLEBG revenue allocated to the Sheriff's Department was designated for operation of the Twin Towers Correctional Facility. Reallocation of this revenue to fund Criminalists would simply create a funding shortfall in Sheriff Custody Operations.

In addition, the attached letter from the Sheriff's Department dated April 30, 2002 (Attachment A) indicates that the Department has not identified funding to address the DNA homicide case backlog, including the use of Special Funds. The Narcotics Forfeiture Fund, the most appropriate special fund to be used for this purpose, has a projected carry over fund balance of \$2.2 million as of June 30, 2002, and budgeted revenue of \$8.5 million for an estimated total of \$10.7 million in available financing for 2002-03. Final 2002-03 budget amounts will not be available until after close of the 2001-02 Fiscal Year.

The Narcotics Forfeiture Fund receives both State and Federal assets forfeiture revenue from the California State Department of Justice (DOJ) and the United States Department of the Treasury (DOT). County Counsel reviews the Sheriff Department's proposed expenditures from the Fund to ensure that funding will be spent in accordance with applicable State and Federal regulations. Specifically, County Counsel has determined that State DOJ revenue can be used to fund crime lab staffing. Federal DOT funds can be used to pay for new law enforcement positions and temporary staffing for up to one year. However, the Sheriff's Department has reported that all funding has been designated for expenditures budgeted for the 2002-03 Fiscal Year.

The Sheriff's Department and County Counsel are exploring the possibility of using the AFIS Fund for crime lab operations. Currently, AFIS funding is restricted to use for identification systems. However, DNA analysis as an identification process might be considered as an appropriate use of the Fund. The Sheriff's Department and County Counsel will be reporting back to the Board within 30 days with additional information.

State and Federal grants were also considered as possible funding sources for additional Criminalists. The Sheriff's Department will pursue two Federal National Institute of Justice (NIJ) grants for crime lab funding this fiscal year. One of the grants would only fund crime lab automation, while the No Suspect Casework DNA Backlog Reduction Program will provide \$25 million for identification, processing, and DNA analysis of no suspect casework in Fiscal Year 2002-03. Funds may only be used for overtime for existing staff and contractor provider services, therefore additional Criminalists would not qualify under the grant guidelines. Although only states can apply for the No Suspect Grant Program, the Sheriff's Department is working with the California State Department of Justice to apply for funding. Applications must be submitted by September 13, 2002.

New Crime Lab Staffing

The Sheriff's Department has identified the need for an additional 22 Criminalists, 10 support staff, equipment, space, and services and supplies to appropriately staff the new crime lab and to prevent future backlogs at a total estimated cost of \$12 million (Attachment B). Some of the cost may be offset by Federal NIJ grant funding beginning in Fiscal Year 2002-03.

Recruitment and training of new personnel is anticipated to be completed within one year of funding becoming available. With regard to the cost-effectiveness of hiring fully trained Criminalists, the Sheriff's Department has been unable to recruit such individuals on a consistent basis.

Each Supervisor
August 19, 2002
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Conclusion

We have not yet identified funding to hire five additional Criminalists for the current year or additional funding for future years. While Federal NIJ grant funding for crime lab operations may become available during the 2002-03 fiscal year, it is expected that the grant funds could only be used for crime lab automation or to offset a portion of the \$12 million cost to adequately staff the new crime lab and prevent future backlogs. County Counsel has opined that the Narcotics Forfeiture Special Fund could be used to pay for additional Criminalists. However, the Sheriff's Department has allocated all Narcotics Forfeiture funding for 2002-03 for other programs. The Sheriff's Department and County Counsel are currently reviewing the possibility of using AFIS funding for crime lab operations and will report back to the Board with additional information within the next 30 days. Also, the Sheriff's Department has not demonstrated an ability to absorb the additional costs.

If you have questions, please have your staff contact Chief Marvin J. Dixon, Chief Sheriff's Technical Services Division at 562-466-5268, or Rochelle Goff of my staff at 213-893-1217.

DEJ:DL
RG:alc/l:wp:d
Attachment

c: Sheriff
Executive Officer, Board of Supervisors
County Counsel



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



April 30, 2002

David Janssen
Chief Administrative Officer
County of Los Angeles,
713 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Mr. Janssen:

**FUNDING AND TIMELINES FOR ADDRESSING
BACKLOGGED DNA HOMICIDE CASES**

At the Board of Supervisors meeting of April 16, 2002, Supervisor Antonovich requested the Chief Administrative Office (CAO) to work with the Sheriff's Department to respond to the following issues concerning the backlog of DNA cases:

- Identify \$2.5 million in funding for Fiscal Year 2002-03 to hire five additional criminalists to perform "front end" work on the backlogged DNA homicide cases and contract out to a private vendor to perform the actual DNA analysis, including Local Law Enforcement Block Grant funding, Sheriff's Narcotics Forfeiture Funding, and other State and Federal grant funding sources;
- Identify \$1.6 million in Fiscal Years 2003-04 and 2004-05 for the same purposes; and
- Develop a timeline within two weeks with specific dates and goals for achieving the elimination of backlogged DNA homicide cases by the end of Fiscal Year 2004-05.

DNA Homicide Cases

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April 30, 2002

The Sheriff's Department has examined the possibility of identifying the necessary \$2.5 million. Presently, there are no funds in the 2001-02 Fiscal Year budget to address this issue. Based on the budget for Fiscal Year 2002-03, as proposed by the Chief Administrative Office, the Sheriff's Department is unable to absorb the \$2.5 million cost as proposed by the motion. The CAO has indicated that they do not believe that they will be able to provide funding to address this issue.

The Sheriff's Department continually searches for potential State and Federal grant funding opportunities. However, based on current fiscal allocations, without the availability of grant funding or additional funds provided by the CAO, the Sheriff's Department does not foresee identifying \$1.6 million for Fiscal Years 2003-04 or 2004-05 to address the issue of backlogged DNA homicide cases. In the absence of grant funding and/or the CAO providing additional funding, the Sheriff's Department is unable identify the funds to hire five (5) additional criminalists to address the backlog of homicide DNA cases. In fact, we are in the process of curtailing other more critical operations in an effort to meet budget.

Assuming that funding sources could be located, and the number of backlogged homicide DNA cases is 700 as reported by the Sheriff's Homicide Bureau, the following timeline may be established:

Time	Milestone
Year One of Funding	
First 6 months	Recruit, hire and background Complete 50 cases using current staff
Second 6 months	Train new staff Complete 50 cases using current staff
Year Two of Funding	Complete 300 cases
Year Three of Funding	Complete 300 cases

DNA Homicide Cases

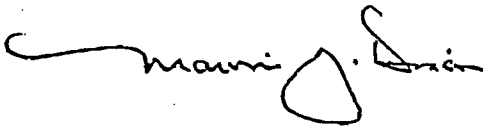
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April 30, 2002

Should you have any questions or need further clarification, please contact me at (323) 526-5488.

Sincerely,

LEROY D. BACA, SHERIFF

A handwritten signature in black ink, appearing to read "Marvin J. Dixon". The signature is fluid and cursive, with a large loop at the end.

MARVIN J. DIXON, CHIEF
ADMINISTRATIVE SERVICES DIVISION